

Case 7:16-cv-00068-JPJ-RSB Document 37 Filed 02/06/17 Page 1 of 3 Pageid#: 327

Shortly after the case was filed, Greenhill filed a motion seeking preliminary injunctive relief ordering prison officials to provide him with a television broadcast of Jumu'ah, a revision of the grooming policy, and a change in how permissibly-prepared food ("hahal") is served in segregation.² I denied the motion, and Greenhill noted an interlocutory appeal. The United States Court of Appeals for the Fourth Circuit remanded the case for further proceedings on Greenhill's request for a preliminary injunction requiring prison officials to provide him with a closed-circuit television broadcast of Jumu'ah. *Greenhill v. Clarke*, No. 16-6542, 2016 WL 7414198, at *1 (4th Cir. Dec. 22, 2016) (unpublished). Specifically, the court of appeals held that I had failed to make specific findings of fact and conclusions of law in denying relief on this claim as required by Federal Rule of Civil Procedure 52(a)(2). *Id.* It affirmed my ruling as to the grooming policy and halal food claims. *Id.*

In obedience to the ruling of the court of appeals, it is **ORDERED** as follows:

1. Greenhill's Motion for Preliminary Injunction (ECF No. 35)
relating to a television broadcast of Jumu'ah is REFERRED to

² A preliminary or interlocutory injunction is a provisional remedy issued prior to the final determination of the case, issued either to preserve the status quo or to prevent irreparable loss of rights prior to the final determination of the merits of the plaintiff's claim. James J. Wagstaffe et al, *Federal Civil Procedure Before Trial* 13-5 (2016). Denial of preliminary injunctive relief does not affect the right to seek a permanent injunction following final determination of the case on the merits. *Id.* at 13-6.

the Honorable Pamela Meade Sargent, United States Magistrate Judge, to conduct further proceedings and to submit to the undersigned a report setting forth appropriate findings of fact, conclusions of law, and a recommended disposition, pursuant to 28 U.S.C. § 636(b)(1)(B); and

2. Consideration of the defendants' Motion for Summary Judgment (ECF No. 25) is STAYED, pending the outcome of the proceedings on the plaintiff's pending preliminary injunction motion.

ENTER: February 6, 2017

/s/ James P. Jones
United States District Judge